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October 8, 2002

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By Hand Delivery

OCT - 8 2002

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
115 Twelfth Street, SW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Notice of *Ex Parte* Presentation
Commission Seeks Comment on Disposition of Down Payments and Pending
Applications for Licenses Won During Auction No. 35 for Spectrum Formerly
Licensed to NextWave Personal Communications Inc., NextWave Power
Partners Inc. and Urban Comm – North Carolina, Inc.

WT Docket No. 02-276

Dear Ms. Dortch:

This is to inform you that Alaska Native Wireless, L.L.C. ("Alaska Native Wireless") made a number of *ex parte* presentations on October 7 and 8, 2002 with respect to the above-referenced proceeding. Over the course of two days, we met with the following members of the Commission staff:

- Kathleen Ham, Scott Delacourt, and Margie Wiener of the Wireless Telecommunications Bureau;
- John Branscome, Acting Legal Advisor to Commissioner Abernathy;
- John Rogovin, Mac Armstrong, and David Horowitz of the Office of General Counsel;
- Paul Margie, Legal Advisor to Commissioner Copps;
- Peter Tenhula, Co-Chair, Spectrum Policy Task Force; and
- Bryan Tramont, Chief of Staff to Chairman Powell

In addition to myself and my colleague, Angela Giancarlo, Alaska Native Wireless was represented by: Alma Upicksoun of Arctic Slope Regional Corporation; Allen Todd of Doyon, Limited; Chris McNeil of Sealaska Corporation; Steve Hillard of

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Council Tree Communications, LLC; Mark Dever of Drinker Biddle & Reath, LLP; and Bill Bittner of Birch, Horton, Bittner, & Cherot, PC.

The purpose of the meeting was to discuss Alaska Native Wireless's preliminary thoughts with respect to the above-referenced proceeding. First, that the obligations of Auction No. 35 remain binding and valid, and the Commission should not suggest otherwise. Second, that should the Commission determine that relief is warranted, it should be flexible and fair. In particular, we discussed the practical implications for designated entities and asked the Commission to establish a commercially reasonable 180-day period in which Auction No. 35 winning bidders could elect to opt out of their license obligations. We did not present written materials during the meetings.

Pursuant to Section 1.1206(b)(1) of the Commission's rules, we are filing one original and two copies of this notice. In addition, we are sending one copy of this notice to the meeting participants listed below. Please contact us with any additional questions.

Respectfully submitted,



Michele C. Farquhar

Angela E. Giancarlo

Counsel for Alaska Native Wireless, L.L.C.

cc Kathleen Ham
Scott Delacourt
Margie Wiener
John Branscome
John Rogovin
Mac Armstrong
David Horowitz
Paul Margie
Bryan Tramont
Peter Tenhula